

McDougall Law Firm Highlights How South Carolina Hands-Free Act Strengthens Charleston Car Accident Claims

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McDougall Law Firm, a personal injury law firm serving Charleston and the South Carolina Lowcountry, has published a comprehensive consumer guide addressing how South Carolina's new Hands-Free and Distracted Driving Act changes liability determinations in car accident cases, coinciding with the law's full enforcement launch on February 28, 2026.

The new law, signed by Governor Henry McMaster on May 12, 2025, prohibits drivers from holding or supporting mobile electronic devices with any part of their body while operating vehicles on public roads. After a 180-day warning period that began September 1, 2025, full enforcement now includes citations, fines, and license points for violators across South Carolina, including Charleston County.

Distracted driving contributes to more than 20,000 traffic collisions annually in South Carolina, according to the South Carolina Department of Public Safety, averaging approximately two crashes per hour involving

distracted drivers. Charleston County recorded 72 fatal collisions in 2021, tying for the highest county fatality count statewide and accounting for approximately one in twelve total collisions across South Carolina.

"The Hands-Free Act fundamentally changes how we approach distracted driving cases for Charleston car accident victims," said J. Olin McDougall, II, founder of McDougall Law Firm. "When drivers who cause accidents are cited for holding their phones, that documented violation becomes powerful evidence supporting negligence claims. As a Charleston car accident lawyer, I strongly advise accident victims to act quickly to preserve cell phone records and device usage logs before this critical evidence disappears."

Under the new legislation, first-offense violations carry a $100 fine, while second and subsequent offenses within three years result in a $200 fine plus two points on the driver's license. Commercial driver's license holders face potential 60-day CDL disqualification after two convictions within three years.

The timing of full enforcement carries particular significance for Charleston, where nearly one in five drivers has an at-fault accident on their insurance record, according to analysis of more than 2.5 million car insurance applications. This ranks Charleston among the top cities nationally for accident involvement, while South Carolina maintains the second-highest rate of car accident deaths per capita in the nation, with more than 1,100 fatalities reported in recent annual data.

For accident victims, documented evidence of Hands-Free Act violations, including cell phone records and usage logs obtained through legal discovery, can significantly strengthen negligence claims and potential compensation recovery. The McDougall Law Firm Charleston car accident lawyer team emphasizes that this evidence must be preserved promptly, as cellular carriers typically maintain detailed records for limited periods.

The firm assists Charleston car accident victims in navigating post-accident claims processes, including free police report retrieval and contingency-fee representation, meaning clients pay no legal fees unless compensation is recovered. The firm has recovered more than $100 million on behalf of clients throughout South Carolina.

McDougall Law Firm serves Charleston, North Charleston, Mount Pleasant, West Ashley, James Island, Johns Island, and the greater Lowcountry region. The firm represents victims of car accidents, truck accidents, motorcycle accidents, pedestrian accidents, slip and fall incidents, and wrongful death cases. The firm offers free consultations and maintains 24-hour availability for accident victims seeking legal guidance.

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